

## HEALTH AND SANITATION PROGRAM

*Exchange of notes at Santiago May 5 and 11, 1943*

*Entered into force May 11, 1943*

*Supplemented and extended by agreements of December 28, 1948, and January 10, 1949, as supplemented;<sup>1</sup> July 1 and 31, 1949;<sup>1</sup> December 11, 1950, and January 8, 1951;<sup>2</sup> and January 30 and February 5, 1952.<sup>3</sup>*

*Extended by agreement of April 28, 1955.<sup>4</sup>*

*Expired June 30, 1956*

59 Stat. 1678; Executive Agreement Series 485

*The American Ambassador to the Minister of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA

*Santiago, May 5, 1943*

No. 2021

EXCELLENCY:

I have the honor to refer to our conversations relative to a cooperative program of health and sanitation in the Republic of Chile, with particular reference to Resolution No. XXX approved at the Third Meeting of Ministers of Foreign Affairs of the American Republics held at Rio de Janeiro, Brazil, in January, 1942.<sup>5</sup>

If desired by the Government of Chile, the Government of the United States is prepared to contribute a sum not to exceed five million dollars for a cooperative program of health and sanitation in Chile, such sum to be made available through the Office of the Coordinator of Inter-American Affairs. The United States Government will also provide a group of experts in public health to cooperate with the officials of the Government of Chile in the execution of the proposed program of health and sanitation.

It is understood that the Government of Chile will furnish such personnel, services and funds for local expenditures as it may consider necessary for the efficient development of the program.

<sup>1</sup> 2 UST 610; TIAS 2213.

<sup>2</sup> 2 UST 623; TIAS 2214.

<sup>3</sup> 3 UST 4515; TIAS 2597.

<sup>4</sup> Not printed.

<sup>5</sup> For text, see *Department of State Bulletin*, Feb. 7, 1942, p. 137.

It is further understood that a special cooperative service of health and sanitation will be established within the National Health Service of Chile, and that the detailed arrangements for the establishment of such a special service will be effected by agreement between the appropriate official of the Government of Chile and the representative of the Coordinator of Inter-American Affairs.

Allocation of United States funds for the purpose of this program will be made by the Institute of Inter-American Affairs which is an agency of the Office of the Coordinator of Inter-American Affairs. Detailed arrangements for the execution of each project and for the expenditure of United States funds will be made by mutual agreement between a representative of the Institute of Inter-American Affairs in Chile and the appropriate official of the Government of Chile.

It is understood that the sum not to exceed five million dollars contributed by the United States Government for execution of the cooperative program of health and sanitation in the Republic of Chile will be expended in accordance with mutual agreements between the appropriate official of the Government of Chile and a representative of the Institute of Inter-American Affairs in Chile.

All projects completed in the prosecution of this program will be the property of the Government of Chile.

No project will be undertaken that will require materials or supplies, the procurement of which would handicap any phase of the war effort.

I should appreciate it if Your Excellency would be so good as to confirm to me your approval of this general proposal with the understanding that the details of the program will be the subject of further discussion and agreements.

Accept, Excellency, the renewed assurance of my highest consideration.

CLAUDE G. BOWERS

His Excellency

Señor don JOAQUÍN FERNÁNDEZ FERNÁNDEZ  
*Minister for Foreign Relations*  
*Santiago.*

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*The Minister of Foreign Affairs to the American Ambassador*

[TRANSLATION]

REPUBLIC OF CHILE  
MINISTRY OF FOREIGN AFFAIRS  
Diplomatic Department

No. 02453  
B 11.6.20.

SANTIAGO, May 11, 1943

MR. AMBASSADOR:

I have the honor to acknowledge receipt of your courteous communication No. 2021, dated the fifth instant, by which Your Excellency proposes to the

Government of Chile the carrying out of a cooperative program of health and sanitation, for which the United States Government would contribute, through the Office of the Coordinator of Inter-American Affairs, up to the sum of five million dollars (U.S. \$5,000,000) and the cooperation of such experts as may be deemed necessary.

The undersigned Minister appreciates and accepts the cooperation offered, with the understanding that the details of this general proposal will be the subject of agreements between the appropriate official of the Office of the Coordinator of Inter-American Affairs and the Director General of Health, in his capacity as representative of the National Health Service of Chile, on whom it is incumbent, in accordance with our legislation, to propose to the Government the manner of solving our health problems and to carry out the corresponding works.

As a matter of fact, the political Constitution entrusts to the National Health Service the care of the public health and sanitary welfare of the country, and the Sanitary Code provides, in Article 4, that this Service shall be under the Director General of Health, who will exercise his functions in accordance with the powers and duties which the laws assign to him, to the exclusion of any other authority.

Furthermore, the same Code, in its Article 269, authorizes this Service to receive and administer donations with the object of applying them to public health purposes.

As Your Excellency states, all the projects completed in the execution of this program shall be the property of the Government of Chile.

Consequently, I beg to ask that Your Excellency be so kind as to inform the representative of the Office of the Coordinator of Inter-American Affairs that he may deal with the Director General of Health, who has the necessary capacity to conclude agreements with respect to procedure and other details connected with the prosecution of the cooperative program of health and sanitation and to the investment of the funds in question, with the understanding that the Supreme Government will approve his acts.

The Supreme Government will provide the necessary facilities for the organization of the special Department in the National Health Service, to which Your Excellency refers, and will also contribute an amount to be determined in due course for financing such plan of sanitation works as may be agreed upon.

Finally, the undersigned begs to suggest to Your Excellency the desirability of indicating to this Ministry the name of the official who would represent the Coordinator of Inter-American Affairs and the powers with which he will act for the desired purposes.

I avail myself of the present opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOAQUÍN FERNÁNDEZ F.

His Excellency,

CLAUDE G. BOWERS,

*Ambassador Extraordinary and Plenipotentiary of the  
United States in Chile,  
City.*